

NO. 24875

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ROY CHON, individually, and MIKYUNG CHON, individually and as
Next Friend of MIKE HO CHON and JAMES TAESUNG CHON, minors,
Plaintiffs-Appellants

vs.

THE ASSOCIATION OF APARTMENT OWNERS OF LELE PONO, INC., a non-
profit Hawai'i corporation, Defendant-Appellee

and

ALICE A. BOOTH, individually and dba AAM REALTY, KENNETH A. ANDO,
individually, JOYCE M. ANDO, individually, KENNETH A. ANDO TRUST,
HARVIS CONSTRUCTION DEVELCO, and DOES 3-10, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 97-4577)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that the January 2, 2002 judgment in Civil No. 97-4577-11 (VSM), the Honorable Victoria S. Marks presiding, does not satisfy the requirements of Rules 54(b) and 58 of the Hawai'i Rules of Civil Procedure (HRCP). "An appeal may be taken from circuit court orders resolving claims against parties only after the orders have been reduced to a judgment and the judgment has been entered in favor of and against the appropriate parties pursuant to HRCP 58[.]" Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994). "[I]f the judgment resolves fewer than all claims against all parties, or reserves any claim for later action by the court, an appeal may be taken only if the judgment contains the language necessary for certification under HRCP 54(b)[.]" Furthermore, "if [the] judgment purports to be the final judgment in a case involving

multiple claims or multiple parties, the judgment . . . must identify the claims for which it is entered[.]” Id. Although Plaintiffs-Appellants Roy Chon, Mikyung Chon, Mike Ho Chon, and James Taesung Chon’s (the Chon Appellants) complaint asserts two separate counts against multiple parties, the January 2, 2002 judgment does not identify the claims for which it is entered, nor does it expressly enter judgment on both of the Chon Appellants’ two counts. Therefore, this appeal is premature and we lack appellate jurisdiction over this case.

Accordingly, IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai’i, May 3, 2002.